

Atty. Dkt. No. EPI3007B
(formerly TSRI 184.2C2)

immun gl bulin solely as a heterodimer. In addition, as demonstrated herein, Goodman should not be considered an enabling reference for expression of any single polypeptide in plants other than interferon in light of the decision of the Board of Patent Appeals and Interferences discussed above. The examiner is urged to reconsider and withdraw the rejection in view of Applicant's arguments and evidence in the Amendment of April 2, 2003 and in view of the evidence from the file history of the Goodman patent.

REJECTION OF CLAIMS 21, 32-54, 56-66 and 68-82

UNDER 35 U.S.C. § 103 OVER GOODMAN

Further included with Applicant's arguments from April 2, 2003 obviating the rejection is the file history of the Goodman patent, which evidences the position of the Patent Office that Goodman does not enable plant expression of any non-plant polypeptide other than interferon. The discussion above under anticipation is relevant also to the obviousness rejection and is incorporated herein. The examiner is urged to reconsider and withdraw the rejection in view of Applicant's arguments in the Amendment of April 2, 2003 and in view of the evidence from the file history of the Goodman patent.

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested. The Examiner is urged to contact the undersigned by telephone to address any outstanding issues standing in the way of an allowance.

Respectfully submitted,

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